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09/24/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

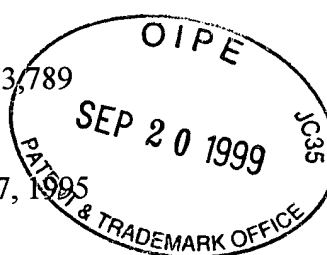
Applicant: Roy Curtiss III and Steven A. Tinge

Serial No.: 08/473,789

Art Unit: 1641

Filed: June 7, 1995

Examiner: V. Ryan



For: *RECOMBINANT BACTERIAL VACCINE SYSTEM WITH ENVIRONMENTALLY LIMITED VIABILITY*

RECEIVED

SEP 22 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

Responsive to the Office Action mailed on June 14, 1999, please amend the application as follows. Submitted with this Amendment is a check for \$39.00 representing the fee for a small entity for one excess independent claim. It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 01-2507.

09/21/1999 HKAMARA 00000036 08473789

Amendment

01 FC:202

39.00 OP

In the Claims

Please amend the claims as follows.

1. (Amended) An isolated microbial cell comprising an Environmentally Limited Viability System, wherein the cell is viable in a permissive environment and non-viable in a non-permissive environment, the system comprising

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PATENT AND TRADEMARK OFFICE

PTO/SB/17 (12-98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 1999**

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.**TOTAL AMOUNT OF PAYMENT** (\$)**39.00****Complete if Known**

Application Number	08/473,789
Filing Date	June 7, 1995
First Named Inventor	Roy Curtiss III
Examiner Name	V. Ryan
Group / Art Unit	1641
Attorney/Docket No.	MEGAN 100

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number
Deposit
Account
Name

01-2507

Arnall Golden & Gregory, LLP

- ☒
- Charge Any Additional
-
- Fee Required Under
-
- 37 CFR 1.16 and 1.17

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 760	201 380	Utility filing fee	
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 760	208 380	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
38	-20 = 0		
Independent Claims	4 -3 = 1	39.00	39.00
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**39.00****FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet.	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 380	216 190	Extension for reply within second month	
117 870	217 435	Extension for reply within third month	
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 760	246 380	Filing a submission after final rejection (37 CFR 1.129(a))	
149 760	249 380	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

**Represents the difference between the fee for a ☐ month extension of time and a ☐ month extension of time.

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**Typed or
Printed Name Robert A. Hodges

Signature

Date 09/14/99

Complete (if applicable)

Reg. Number 41,074

Deposit Account
User ID 01-2507

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.